IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3380 of 2005

Between:

Smt. Kakarla Jaya W/o.Madhusudhana Rao
R/o.Flat No.305, Naina Residency, Papasaheb Street,
R.R.Pet, Eluru, West Godavari District.

..... PETITIONER

AND

1 The Commissioner, Eluru Municipality Eluru, West Godavari District.
2 The Municipal Council, rep. by its Chairman, Eluru, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, especially one in the nature of writ of Mandamus, declaring the inaction of the respondents in not removing the encroachments in the Pattebadha Street, which is a public street in Eluru Town, West Godavari District as contrary to Chaper III and Section 192 of Andhra Pradesh Municipalities act 1965 and consequently, direct the respondents to take appropriate action to remove the encroachments in accordance with law.

Counsel for the Petitioner:MR.S.SUBBA REDDY

Counsel for the Respondent Nos.1 and 2: MR.S.NAGESH REDDY

The Court at the stage of admission made the following :

ORDER:

Heard learned counsel for both the parties and perused the material on record.

The only grievance of the petitioner in this writ petition is that though she made a representation on 10.12.2004 to the first respondent complaining about the alleged encroachment into the public road by some persons, thereby blocking ingress and egress to her house bearing Door No.24C-11-10 situated in Pattebadha, old 26/C Ward, T.S.No.136 of Eluru Town, the same has not been considered by the respondents so far.

Having regard to the facts and circumstances of the case and keeping in view the specific allegation of the petitioner about the alleged encroachment into the public road, the writ petition is disposed of with a direction to the respondents to consider the representation of the petitioner dated 10.12.2004 and to pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of this order. No costs.

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24.02.2005

Note : Furnish C.C in two days.

(B/O)

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To

1 The Commissioner, Eluru Municipality Eluru, West Godavari District.

2 The Municipal Council, rep. by its Chairman, Eluru, West

Godavari District.

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